

IN THE UNITED STATES DISTRICT COURT

For the District of New Jersey

GELBER

Plaintiff(s),

v.

**NATIONAL RAILROAD PASSENGER
CORPORATION et al**

Defendant(s)

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Civil No. 08-3901 (WJM) (CCC)

**ORDER ON INFORMAL MOTION
APPOINTING MEDIATOR**

This matter coming before the Court by way of informal application by the parties for a status conference; it appearing that mediation would conserve the resources and be in the best interests of the Court and the parties; and the parties having agreed to mediation and having authorized the Court, by consent, to appoint **Judge Mark B. Epstein** as the mediator.

IT IS on this 4th day of August 4, 2009

ORDERED THAT:

1. This civil action be and hereby is referred to mediation.
2. **Hon. Mark B. Epstein, Hoagland, Longo, Moran, Dunst & Doukas, LLP,**
40 Paterson Street, PO Box 480, New Brunswick, NJ 08903 is hereby
appointed as the mediator in this case.

3. Counsel and the parties shall participate in mediation in good faith and shall cooperate with their chosen mediator, **Judge Mark B. Epstein.**
4. Counsel and the parties (including individuals with settlement authority) shall attend mediation sessions as requested by the mediator.
5. In the event mediation is unsuccessful, there shall be a **Telephone Status/Scheduling Conference conducted on December 2, 2009 at 2:00 p.m.** at which time all discovery issues shall be addressed.
6. Upon receipt of this Order, the parties shall contact the mediator to schedule the mediation.

s/Claire C. Cecchi
HON. CLAIRE C. CECCHI
United States Magistrate Judge

cc: With Enclosed Order Only
Office of the Clerk
Hon. William J. Martini, U.S.D.J.
Bruce H. Stern, Esq.
John A. Bonventre, Esq.
Michael John Rankin, Esq.
Carol Coleman, Arbitration Clerk
File